

# PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

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## INVITATION TO CORRECT DECLARATION(S) MADE IN THE REQUEST UNDER PCT RULE 4.17

(PCT Rules 4.17 and 26ter.2(a))

016325-013600 PC

To:

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ETATS-UNIS D'AMERIQUE

Date of mailing (day/month/year)	27 July 2003 (27.07.03)
Applicant's or agent's file reference 16325-136PC	REPLY DUE See below
International application No. PCT/US03/18046	International filing date (day/month/year) 05 June 2003 (05.06.03)
Applicant METABOLEX, INC.	

- The applicant is hereby invited to submit to the International Bureau a corrected declaration within the time limit indicated below and as explained in the Annex. The applicant's attention is drawn to the fact that the declaration has not been examined for compliance with national law requirements of the designated State(s) for which that declaration is made.

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**When?** Within 16 months from the priority date, provided that any corrected declaration which is received by the International Bureau after the expiration of that time limit shall be considered to have been received on the last day of that time limit if it reaches it before the technical preparations for international publication have been completed (Rule 26ter.1)

**How?** By submitting a replacement sheet containing a corrected declaration accompanied by a letter explaining the correction (see Section 216). See Sections 211 to 215 for the applicable standardized wording.

**Where?** Directly to the International Bureau at the address indicated below.  
If the corrected declaration is submitted to the receiving Office, that Office shall mark the date of receipt on it and transmit it promptly to the International Bureau. The declaration shall be considered to have been submitted to the International Bureau on the date marked (see Section 317).

- Failure to correct the declaration within the time limit will result in copies of the declaration, as originally filed, being communicated by the International Bureau to the designated Offices concerned according to Rule 47.1 (a-ter).

Any declaration received after the expiration of the time limit under Rule 26ter.1 will have to be submitted by the applicant directly to the designated Offices concerned; it is only in the case of a signed declaration of inventorship for the purposes of the designation of the United States of America (Rule 4.17(iv)) that the original declaration will be returned to the applicant (see Section 419(d)).

- In respect of national phase processing, the applicant's attention is drawn to Rule 51bis.2 which provides that the designated Office shall not, unless it may reasonably doubt the veracity of the declaration concerned, require any document or evidence relating to the subject matter of any declaration complying with Rule 4.17(i) to (iv) which is contained in the request or submitted to the International Bureau or directly to the designated Office. Note, however, that Rule 51bis.2 may not apply in respect of certain States. For further information, see Notes to the request form, Box No. VIII.

- A copy of this invitation is being sent to the receiving Office.

Correct defects in Decl  
DOCKETED BY CW

The International Bureau of WIPO 34, chemin des Colombettes, 1211 Geneva 20, Switzerland	Authorized officer Kaori FUJINO (Fax 338 9090)
Facsimile No. (41-22) 338.90.90	Telephone No. (41-22) 338.87.26

The International Bureau has found the following defect(s) in the declaration(s) listed below :

1. ☐ declaration as to the identity of the inventor (Rules 4.17(i) and 51bis.1(a)(i) and Section 211), in respect of:
- a. (name(s) included in the declaration): .....  
☐ is not in the prescribed wording  
☐ other (specify): .....
- b. (name(s) included in the declaration): .....  
☐ is not in the prescribed wording  
☐ other (specify): .....
2. ☐ declaration as to the applicant's entitlement, as at the international filing date, to apply for or be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii) and Section 212), in respect of:
- a. (name(s) included in the declaration): .....  
☐ is not in the prescribed wording  
☐ other (specify): .....
- b. (name(s) included in the declaration): .....  
☐ is not in the prescribed wording  
☐ other (specify): .....
3. ☐ declaration as to the applicant's entitlement, as at the international filing date, to claim priority of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii) and Section 213), in respect of:
- a. (name(s) included in the declaration): .....  
☐ is not in the prescribed wording  
☐ other (specify): .....
- b. (name(s) included in the declaration): .....  
☐ is not in the prescribed wording  
☐ other (specify): .....
4. ☒ declaration of inventorship (only for the purposes of the designation of the United States of America) (Rules 4.17(iv) and 51bis.1(a)(iv) and Section 214), in respect of:
- a. (name(s) included in the declaration): ..B. ALLAN, F. GREGOIRE, B. LAVAN, S. MOODIE, S. WATERS, and C. WONG.....  
☐ is not in the prescribed wording  
☒ is not signed by all inventors named in the declaration  
☐ other (specify): .....
- b. (name(s) included in the declaration): .....  
☐ is not in the prescribed wording  
☐ is not signed by all inventors named in the declaration  
☐ other (specify): .....
5. ☐ declaration as to non-prejudicial disclosures or exceptions to lack of novelty (Rules 4.17(v) and 51bis.1(a)(v) and Section 215), in respect of:
- a. (name(s) included in the declaration): .....  
☐ is not in the prescribed wording  
☐ other (specify): .....
- b. (name(s) included in the declaration): .....  
☐ is not in the prescribed wording  
☐ other (specify): .....